

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 953, "An Act amending Article 2326a of the 1925 Revised Civil Statutes of Texas, as amended (which said Article 2326a was passed by Acts, 1929, Forty-first Legislature, page 112, Chapter 56), by adding thereto a provision for expenses for Court Reporters in certain Judicial Districts, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

### SENT TO THE GOVERNOR

April 20, 1939

House Bill No. 881.

House Concurrent Resolution No. 103.

House Concurrent Resolution No. 107.

### SIXTIETH DAY

(Friday, April 21, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Burney
Allen	Cauthorn
Allison	Celaya
Alsup	Chambers
Bailey	Clark
Baker	Cleveland
of Fort Bend	Cockrell
Baker of Grayson	Coleman
Bell	Colson, Mrs.
Blankenship	Cornett
Boethel	Corry
Bond	Crossley
Boyd	Daniel
Boyer	Davis of Jasper
Bradbury	Dean
Bradford	Derden
Bray	Dickison
Bridgers	Dickson
Brown of Cherokee	Donaghey
Brown	Dwyer
of Nacogdoches	Faulkner
Bundy	Felty
Burkett	Ferguson

Fielden	Monkhouse
Fuchs	Montgomery
Galbreath	Morris
Gilmer	Newell
Goodman	Nicholson
Gordon, Mrs.	Pace
Hale	Petsch
Hamilton	Pevehouse
Hankamer	Piner
Hardeman	Pope
Hardin	Reader of Bexar
Harper	Reader of Erath
Harrell of Bastrop	Reaves
Harrell of Lamar	Reed
Harris	Rhodes
Hartzog	Riviere
Heflin	Roach
Holland	Roberts
Howington	Robinson
Hull	Russell
Hunt	Segrist
Isaacks	Shell
Johnson of Ellis	Skiles
Johnson of Tarrant	Smith of Frio
Keith	Smith
Kennedy	of Matagorda
Kern	Spencer
Kerr	Stinson
Kersey	Stoll
Kinard	Talbert
King	Tarwater
Langdon	Taylor
Lehman	Tennant
Leonard	Thornberry
Leyendecker	Thornton
Little	Turner
Lock	Vint
Loggins	Voigt
London	Weldon
Mays	Wells
McAlister	Westbrook
McDaniel	Wilson
McDonald	Winfree
McFarland	Wood
McMurry	Worley
McNamara	Wright
Mohrmann	

### Absent

Anderson	Ragsdale
Howard	

### Absent—Excused

Broadfoot	Schuenemann
Colquitt	Smith of Hopkins
Davis of Upshur	Vale
Dowell	Waggoner
Harp	White
Oliver	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Our Heavenly Father, as we observe this anniversary may its deep

lessons be written upon our hearts. As our liberties and our present goodly State cost our forbears so dearly, may we prize our privileges and hand down a worthy heritage to our posterity. Use us this day in the noblest of all service, which is doing the will of God. For Christ's sake. Amen."

#### LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Smith of Hopkins for today, on motion of Mr. Kern.

Mr. Broadfoot for today, on motion of Mr. Harrell of Bastrop.

Mr. White and Mr. Waggoner for today, on motion of Mr. Wells.

Mr. Harp for today, on motion of Mr. Little.

Mr. Oliver for today, on motion of Mr. Westbrook.

Mr. Davis of Upshur for today, on motion of Mr. Roach.

Mr. Schuenemann for today, on motion of Mr. Hardeman.

#### EXPRESSING SYMPATHY OF THE HOUSE TO HON. RAWLINS COLQUITT

Mr. Roach offered the following resolution:

H. S. R. No. 240, Expressing sympathy of the House to Hon. Rawlings Colquitt.

Whereas, Our fellow Member, Honorable Rawlings M. Colquitt, is ill in the Brackenridge Hospital in Austin, and is unable to attend his duties in the House; and

Whereas, We deeply regret his illness and his inability to be at his desk; now, therefore, be it

Resolved, That we extend our sincere sympathy and wish for him a speedy recovery; and, be it further

Resolved, That the Chief Clerk of the House be instructed to send suitable flowers to our colleague at the hospital.

The resolution was read second time, and was adopted.

#### MEMORIALIZING CONGRESS TO PASS CERTAIN LEGISLATION

Mr. Fuchs offered the following resolution:

H. C. R. No. 106, Memorializing

Congress to pass certain legislation in regard to the sale of cotton.

Whereas, All cotton produced in the United States is sold on the basis of the gross weight of the bale which includes the weight of the bagging and tie, and there being no uniformity in the weight of said bagging and ties, this making it impracticable for buyers to arrive at the actual net weight of the cotton when setting a price for same, this resulting in the producer receiving a price at variance with the posted price for like grades of cotton; and

Whereas, Cotton produced in all other Countries is sold on the net weight thereof without regard to the weight or character of bagging used; and

Whereas, There is now prevailing in the Congress of the United States a bill requiring that all American produced cotton should be sold on the net weight basis, thus making it possible for the use of a lighter weight bagging in the wrapping of the American cotton, and further resulting in the use of low grade cotton in the manufacture of bagging, also helping to reduce the stocks of low grade cotton in the United States, and removing from the market much of the low grade cotton, which is held in competition with the higher grades; and

Whereas, The bagging used now almost exclusively throughout the United States is manufactured from materials imported, and much of the finished bagging being imported, thus requiring the American cotton growers to use foreign manufactured bagging in competition with a bagging that might be manufactured from their own product, this establishing an unethical and badly unbalanced economic condition; and

Whereas, The Texas Cotton Ginners Association and the Texas Co-operative Ginners Association representing a very large majority of the cotton ginners of Texas, at their annual convention held in Dallas on April 11, 1939, both by unanimous vote, resolved to wrap their gin bales in cotton as soon as a net weight law was enacted, and further voted to give full cooperation to extend the use of cotton in every way possible by their example and precept; therefore, be it

Resolved by the House of Represen-

tatives, the Senate concurring, That the Congress of the United States be, and is hereby memorialized to enact a law as soon as possible requiring that all American produced cotton be sold on the basis of the net weight of the bale; and be it further

Resolved, That copies of this resolution be sent to the Congressmen and United States Senators from Texas, and to United States Senator Ellison D. Smith, Chairman of the Senate Agricultural Committee.

FUCHS,  
RAGSDALE,  
TARWATER,  
CHAMBERS,  
HOWINGTON,  
REAVES,  
CLEVELAND,  
BAILEY,  
BAKER of Fort Bend,  
HARRELL of Bastrop,  
LEHMAN,  
STOLL,  
SPENCER,  
LOGGINS,  
SEGRIST,  
WORLEY,  
CORY,  
ROBERTS,  
FAULKNER,  
BOETHEL.

The resolution was read second time, and was adopted.

#### RELATIVE TO HOUSE BILL NO. 471

On motion of Mr. Fielden, and by unanimous consent of the House, the caption of House Bill No. 471 was ordered amended to conform to all changes and with the body of the bill.

#### RELATIVE TO STREAM POLLUTION

The Speaker laid before the House, for consideration, at this time, House Concurrent Resolution No. 94, by Mr. Harper, Relative to stream pollution.

The resolution having heretofore been read second time and referred to the Committee on Game and Fisheries.

The Committee on Game and Fisheries having recommended the adoption of the resolution.

The resolution was then adopted.

#### CONCERT BY A CAPPELLA CHOIR OF NORTH TEXAS STATE TEACHERS COLLEGE

In accordance with the provisions of House Simple Resolution No. 226, by Mr. Ferguson, Inviting the A Cappella Choir of the North Texas State Teachers College, to give a concert in the House of Representatives, the Speaker announced the appointment of the following committee to escort the choir to the Speaker's stand: Messrs. Johnson of Ellis, Corry, Skiles, Ferguson, Lock, Kerr, London, Reader of Erath, Wells, Kersey, Roach, Vint and Burney.

The choir having been escorted to the Hall of the House, the Speaker, presented Mr. Johnson of Ellis, who introduced Dr. Wilfred C. Bain, conductor of the choir.

The choir under the direction of Mr. Bain, then rendered several selections.

(Mr. Bradbury in the Chair.)

The chair presented Mr. Johnson of Ellis, who introduced Mrs. T. J. Womack of Ennis, Texas.

Mrs. Womack addressed the House.

#### ADOPTION OF CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 221

Mr. Hardeman submitted the following Conference Committee Report on Senate Bill No. 221:

Austin, Texas, April 20, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Hon. R. Emmett Morse, Speaker of the House.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and Senate on Senate Bill No. 221, beg leave to report that we have considered the same, and recommend that it do pass in the form and text as attached hereto.

Respectfully submitted,

KELLEY,  
WINFIELD,  
METCALFE,  
STONE of Galveston,  
SPEARS,

On the part of the Senate.

HARDEMAN,  
POPE,  
CAUTHORN,  
CELAYA,  
LEYENDECKER,

On the part of the House.

S. B. No. 221

## A BILL

## To Be Entitled

An Act amending Article 1302, Chapter 1, Title 32 of the Revised Civil Statutes of Texas, 1925, by adding thereto a new subdivision to be known as subdivision 104, providing for the creation of private corporations for the purpose of processing and scouring wool, hair, and mohair for profit with authority to buy and sell wool, hair, and mohair and to own, operate and maintain processing and scouring plants, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That a new subdivision be added to Article 1302, Chapter 1, Title 32 of the Revised Civil Statutes of Texas, 1925, and the same shall hereafter read, as follows:

"Subdivision 104. Corporations may be formed for the purpose of processing and scouring wool, hair, and mohair, for profit, and shall have the power and authority to buy and sell wool, hair, and mohair, and to own, operate, and maintain processing and scouring plants."

Sec. 2. The fact that under the present law authorizing corporations to be formed, no provision is made for incorporating for the purpose of processing and scouring wool, hair, and mohair, and buying and selling the same, and owning, operating and maintaining, processing and scouring plants necessary in connection with the transaction of such business; that such business is a vast and rapidly growing one in this State, and that it should be the policy of this State to encourage such business by immediately granting it corporate privileges, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and it is hereby suspended, and this Act shall take effect and be in full force and effect from and after its passage, and it is so enacted.

On motion of Mr. Hardeman, the report was adopted by the following vote:

Yeas—114

Allen  
AllisonAlsup  
Bailey

Baker	Kern
of Fort Bend	Kersey
Baker of Grayson	Kinard
Bell	Langdon
Boethel	Lehman
Bond	Little
Boyd	Loggins
Boyer	McAlister
Bradbury	McDaniel
Bradford	McFarland
Bray	McMurry
Bridgers	McNamara
Brown of Cherokee	Monkhouse
Brown	Montgomery
of Nacogdoches	Morris
Bundy	Newell
Burkett	Nicholson
Burney	Pace
Cauthorn	Pevehouse
Celaya	Piner
Chambers	Pope
Clark	Reader of Bexar
Cleveland	Reader of Erath
Cockrell	Reed
Coleman	Rhodes
Colson, Mrs.	Riviere
Cornett	Roach
Corry	Roberts
Crossley	Robinson
Daniel	Russell
Davis of Jasper	Segrist
Dean	Shell
Derden	Skiles
Dickison	Smith of Frio
Donaghey	Smith
Faulkner	of Matagorda
Fielden	Spencer
Fuchs	Stinson
Galbreath	Stoll
Gilmer	Talbert
Gordon, Mrs.	Tarwater
Hale	Taylor
Hamilton	Tennant
Hankamer	Thornberry
Hardeman	Thornton
Harper	Turner
Harrell of Bastrop	Vint
Harrell of Lamar	Voigt
Harris	Weldon
Heflin	Wells
Holland	Westbrook
Howington	Wilson
Hunt	Winfree
Isaacks	Wood
Johnson of Ellis	Worley
Keith	Wright
Kennedy	

## Absent

Anderson  
Blankenship  
Dickson  
DwyerFelty  
Ferguson  
Goodman  
Hardin

Hartzog	Lock
Howard	London
Hull	Mays
Johnson of Tarrant	McDonald
Kerr	Mohrmann
King	Petsch
Leonard	Ragsdale
Leyendecker	Reaves

Absent—Excused

Broadfoot	Schuenemann
Colquitt	Smith of Hopkins
Davis of Upshur	Vale
Dowell	Waggoner
Harp	White
Oliver	

## ADJOURNMENT

On motion of Mr. Hull, the House,  
at 10:45 o'clock a. m., adjourned until  
10:00 o'clock a. m., next Monday.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed  
favorable reports on bills, as follows:

Public Health: House Bill No. 361.  
Education: Senate Bill No. 297.

## SIXTY-FIRST DAY

(Monday, April 24, 1939)

The House met at 10:00 o'clock a.  
m., pursuant to adjournment, and was  
called to order by Speaker Morse.

The roll of the House was called,  
and the following Members were present:

Mr. Speaker	Bray
Allen	Bridgers
Allison	Broadfoot
Alsup	Brown of Cherokee
Anderson	Brown
Bailey	of Nacogdoches
Baker	Bundy
of Fort Bend	Burkett
Baker of Grayson	Burney
Blankenship	Cauthorn
Bell	Celaya
Boethel	Chambers
Bond	Clark
Boyd	Cleveland
Boyer	Cockrell
Bradbury	Coleman
Bradford	Colquitt

Colson, Mrs.	McAlister
Cornett	McDaniel
Corry	McDonald
Crossley	McFarland
Daniel	McMurry
Davis of Jasper	McNamara
Davis of Upshur	Mohrmann
Dean	Monkhouse
Derden	Montgomery
Dickison	Morris
Dickson	Newell
Donaghey	Nicholson
Dwyer	Oliver
Faulkner	Pace
Felty	Petsch
Ferguson	Pevehouse
Fielden	Piner
Fuchs	Pope
Galbreath	Ragsdale
Gilmer	Reader of Bexar
Goodman	Reader of Erath
Gordon, Mrs.	Reaves
Hale	Reed
Hamilton	Rhodes
Hankamer	Riviere
Hardeman	Roach
Hardin	Roberts
Harp	Robinson
Harper	Russell
Harrell of Bastrop	Segrist
Harrell of Lamar	Shell
Harris	Skiles
Hartzog	Smith of Frio
Heflin	Smith of Hopkins
Holland	Smith
Howard	of Matagorda
Howington	Spencer
Hull	Stinson
Hunt	Stoll
Isaacks	Talbert
Johnson of Ellis	Tarwater
Johnson of Tarrant	Taylor
Keith	Tennant
Kennedy	Thornberry
Kern	Thornton
Kerr	Turner
Kersey	Vint
Kinard	Voigt
King	Waggoner
Langdon	Weldon
Lehman	Wells
Leonard	Westbrook
Leyendecker	White
Little	Wilson
Lock	Winfree
Loggins	Wood
London	Worley
Mays	Wright

Absent—Excused

Dowell	Vale
Schuenemann	

A quorum was announced present.